



PUBLIC NOTICE

Federal Communications Commission
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DA 15-123
January 28, 2015

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF SELECTEL, INC. TO COMPASS ATLANTIC INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-8

Comments Due: February 11, 2015
Reply Comments Due: February 18, 2015

On December 12, 2014 Selectel, Inc. (Selectel), Matthew S. O'Flaherty, Teri L. O'Flaherty and Stacy Hergenrader and Compass Capital Inc. (Compass Capital) and Compass Atlantic Inc. (Compass Atlantic) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Selectel, from Matthew S. O'Flaherty, Teri L. O'Flaherty and Stacy Hergenrader to Compass Capital and Compass Atlantic.¹

Selectel, a Nevada corporation, provides local exchange services as an incumbent local exchange carrier (LEC) on a retail basis in Massachusetts, Minnesota, New Jersey, New York, Oregon, Pennsylvania, and Washington. The following U.S. citizens own ten percent or more of the issued and outstanding stock of Selectel: Teri L. O'Flaherty (33.33 percent), Stacy Hergenrader (33.33 percent) and Matthew S. O'Flaherty (33.33 percent). Compass Atlantic, a Delaware corporation, was recently formed for the purposed of the proposed transaction and is a wholly owned subsidiary of Compass Capital, a Canadian corporation. Compass Capital is owned by Grant Hood, a citizen of Canada.

Applicants state that the transaction will take place at the holding company level and will therefore have no impact on the day-to-day operations of Selectel. Specifically, Compass Atlantic will acquire all the stock of Teri O'Flaherty and Stacy Hergenrader, and 3.33 percent of Selectel stock from Matthew O'Flaherty. After consummation of the proposed transaction, Compass Atlantic will hold 70 percent of the Selectel stock and Matthew O'Flaherty will own 30 percent of the stock.

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed supplements to their application on January 26 and 27, 2015.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Transfer of Control of Selectel, Inc. to Compass Capital Inc. and Compass Atlantic Inc., WC Docket No. 15-8 (filed December 12, 2014).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before February 11, 2015**, and reply comments **on or before February 18, 2015**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Margoux Brown, Competition Policy Division, Wireline Competition Bureau, margoux.brown@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are

² 47 C.F.R. § 63.03(b)(1)(ii).

deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Margoux Brown at (202) 418-1584 or Dennis Johnson at (202) 418-0809.

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